



DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION

As the below-named inventors, we hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled INHIBITING TRANSFORMING GROWTH FACTOR  $\beta$  TO PREVENT ACCUMULATION OF EXTRACELLULAR MATRIX.

\_\_\_\_\_ is attached hereto

  X   was filed on October 3, 1989

Application Serial No. \_\_\_\_\_

and was amended on (or amended through) \_\_\_\_\_  
(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorney to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

301

CATHRYN CAMPBELL, Registration No. 31,815; DAVID G. PERRYMAN, Registration No. 33,438; JAMES R. BRUEGGEMANN, Registration No. 28,286; ROBERT A. SCHROEDER, Registration No. 25,373; LAURENCE H. PRETTY, Registration No. 25,312; and GARY A. CLARK, Registration No. 28,060. Direct all telephone calls to Cathryn Campbell at telephone no. (619) 546-4909.

Address all correspondence to:

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701 444 South Flower Street, Suite 2000  
703 Los Angeles, California 90071

401-00 CA

Full name of first inventor: WAYNE A. BORDER

Inventor's signature: Wayne A. Border

Date: 20 Oct 89

Residence: Salt Lake City, Utah UT

Citizenship: United States

Post Office Address: 4464 Abinadi Road  
Salt Lake City, Utah 84124

40200

Full name of second inventor: ERKKI I. RUOSLAHTI

Inventor's signature: E. Ruoslahti

Date: 10-16-89

Residence: Rancho Santa Fe, California CA

Citizenship: United States

Post Office Address: P.O. Box 1054  
Rancho Santa Fe, California 92067



#5

Applicants or Patentees:

WAYNE A. BORDER  
ERKKI I. RUOSLAHTI

Serial or Patent No: 07/416,656

Filed or Issued: October 3, 1989

For: INHIBITING TRANSFORMING GROWTH FACTOR B TO PREVENT  
ACCUMULATION OF EXTRACELLULAR MATRIX

VERIFIED STATEMENT (DECLARATION) CLAIMING  
SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(d))

NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act  
on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION: UNIVERSITY OF UTAH

ADDRESS OF ORGANIZATION: SALT LAKE CITY, UTAH

TYPE OF ORGANIZATION:

☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION

☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC  
501(a) and 501(c)(3))

☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE  
OF THE UNITED STATES OF AMERICA

(Name of State \_\_\_\_\_)

(Citation of State \_\_\_\_\_)

☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE  
CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED  
STATES OF AMERICA

☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER  
STATUTE OF STATE OF THE UNITED STATES OF AMERICA

(Name of State \_\_\_\_\_)

(Citation of Statute \_\_\_\_\_)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) or (b) Title 35, United States Code with regard to the invention entitled INHIBITING TRANSFORMING GROWTH FACTOR B TO PREVENT ACCUMULATION OF EXTRACELLULAR MATRIX, by inventor(s) WAYNE A. BORDER and ERKKI I. RUOSLAHTI, described in

☐ the specification filed herewith

☒ application serial no. 07/416,656 filed October 3, 1989

☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above-identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any persons, other than the inventors, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: La Jolla Cancer Research Foundation  
ADDRESS: 10901 N. Torrey Pines Road  
La Jolla, California 92037

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☒ NONPROFIT ORGANIZATION

NAME: Telios Pharmaceuticals, Inc.

ADDRESS: 2909 Science Park Road

San Diego, California 92121

[ ] INDIVIDUAL

[X] SMALL BUSINESS CONCERN

[ ] NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING:

James J. Brophy

TITLE IN ORGANIZATION:

University of Utah Vice President for Research

ADDRESS OF PERSON SIGNING:

JAMES J. Brophy 210 Park Building

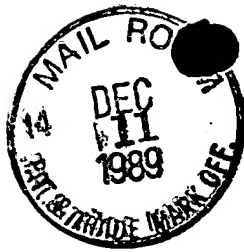
SIGNATURE:

James J. Brophy

University of UTAH  
Salt Lake City UTAH  
84112

DATE:

12/1/89



Docket No. P31 8600

Applicants or Patentees: Wayne A. Border  
Erkki I. Ruoslahti

Serial or Patent No.: 07/416,656

Filed or Issued: October 3, 1989

For: INHIBITING TRANSFORMING GROWTH FACTOR  $\beta$  TO  
PREVENT ACCUMULATION OF EXTRACELLULAR MATRIX

Name of Concern: TELIOS PHARMACEUTICALS, INC.

Address of Concern: 2909 Science Park Road  
San Diego, California 92121

SMALL ENTITY STATUS (37 CFR 1.9(F) AND 1.27(C))

SMALL BUSINESS CONCERN

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I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled INHIBITING TRANSFORMING GROWTH FACTOR  $\beta$  TO PREVENT ACCUMULATION OF EXTRACELLULAR MATRIX by Wayne A. Border and Erkki I. Ruoslahti as described in

☐ the specification filed herewith  
☒ application filed October 3, 1989  
☐ patent no. \_\_\_\_\_, issued \_\_\_\_\_.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below\* and no rights to the invention are held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e). \*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

NAME: University of Utah

ADDRESS: Salt Lake City, Utah

☐ INDIVIDUAL  
☐ SMALL BUSINESS CONCERN  
☒ NONPROFIT ORGANIZATION

NAME: La Jolla Cancer Research Foundation

ADDRESS: 10901 N. Torrey Pines Road

La Jolla, California 92037

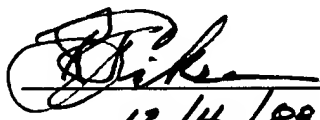
☐ INDIVIDUAL  
☐ SMALL BUSINESS CONCERN  
☒ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING: Robert J. Erickson, Ph.D.  
TITLE IN ORGANIZATION: President  
ADDRESS OF PERSON SIGNING: 2909 Science Park Road  
San Diego, California 92121

SIGNATURE:



DATE:

12/4/89